

## REMARKS

This paper is being presented in response to the non-final official action dated October 28, 2005, wherein: (a) claims 1-20 are pending; (b) claims 4-7 have been allowed; (c) claims 1-3, 8, and 11-20 have been rejected under 35 USC § 102(b) as being anticipated by European patent publication No. 1 164 434 A2 (the “European publication”); (d) claim 2 has been rejected under 35 USC § 103(a) as being obvious over the European publication; and, (e) claims 9 and 10 have been objected to as being dependent upon a rejected base claim (i.e., claim 8), but would be allowable if rewritten in independent form to include the recitations of the base claim and any intervening claims. Reconsideration and withdrawal of the objection and rejections are respectfully requested in view of the foregoing amendment and following remarks.

The applicant hereby acknowledges, with appreciation, the indication that claims 4-7 have been allowed, and the indication that claims 9 and 10 would be allowable if rewritten in independent form to include the recitations of the claim(s) from which each depends.

According to the action, claims 1-3, 8, and 11-20 have been (again) rejected under § 102(b) as being anticipated by the European publication. Independent claim 1 has been amended as suggested in the action (at pages 3 and 6-7) to amend the transitional phrase from “consisting essentially of” to “consisting of.” According to the action, use of the “consisting of” transitional phrase “would exclude the presence of —CH<sub>2</sub>—.” In view of this amendment, it is respectfully submitted that neither claim 1 nor any claim dependent therefrom (i.e., claims 2, 3, 8, and 11-20) is anticipated by the European publication. Accordingly, reconsideration and withdrawal of the § 102(b) rejection are respectfully requested.

The § 103(a) obviousness rejection of claim 2 relies upon the propriety of the § 102(b) anticipation rejection of the base claim (claim 1). Because claim 1 has been amended to overcome the anticipation rejection, it is respectfully submitted that the § 103(a) obviousness rejection of claim 2 is also overcome by the same amendment. Accordingly, reconsideration and withdrawal of the § 103(a) rejection of claim 2 are respectfully requested.

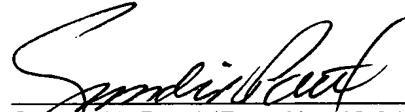
Claims 9 and 10 depend (either directly or indirectly) from claim 8, which depends from claim 1. As stated above, the § 102(b) anticipation rejection of claim 1 (and claims dependent therefrom, such as claim 8) has been overcome by the amendment presented herein. Consequently, because claim 8 is not anticipated, it is respectfully submitted that claims 9 and 10 no longer depend from a rejected base claim. Accordingly, reconsideration and withdrawal of the objection to claims 9 and 10 are respectfully requested

In view of the foregoing amendment and remarks, the application (and all pending claims 1-20) is in condition for allowance, and an indication to that effect is respectfully solicited.

Should the examiner wish to discuss the foregoing, or any matter of form or procedure in an effort to advance this application to allowance, the examiner is urged to contact the undersigned attorney.

Respectfully submitted,

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